

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

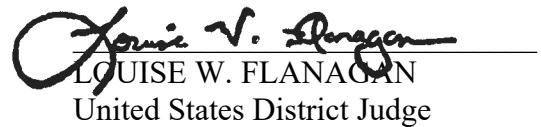
NO. 7:21-CV-211-FL

This matter is before the court upon pro se plaintiff's motions for leave to proceed in forma pauperis (DE 1, 5, 6), and for review of plaintiff's complaint pursuant to 28 U.S.C. § 1915(e). United States Magistrate Judge Robert B. Jones entered memorandum and recommendation ("M&R"), pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), wherein it is recommended plaintiff's complaint be dismissed for failure to prosecute (DE 9). Plaintiff did not file objections to the M&R, and the time within which to make any objection has expired. In this posture, the issues raised are ripe for ruling.

Upon a careful review of the M&R, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Because no objections have been filed, the court reviews the magistrate judge’s findings and conclusions only for clear error, and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983).

Here, the magistrate judge recommends dismissal of plaintiff's claims due to failure to prosecute, where plaintiff was cautioned that failure to comply with the magistrate judge's March 28, 2022, order may result in dismissal of his complaint. Upon careful review of the M&R, the court finds the magistrate judge's analysis to be thorough, and there is no clear error. The court hereby ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute and failure to comply with the court's order. The clerk of court is DIRECTED to close the case.

SO ORDERED, this the 2nd day of May, 2022.



LOUISE W. FLANAGAN  
United States District Judge